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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Luis PAREDES,

Defendant

Magistrate Docket No.

COMPLAINT FOR VIOLATION OF:


Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

FILED
100 APR 15 11:27
'08 MJ 1153
DEPUTY JMA

The undersigned complainant, being duly sworn, states:

On or about **April 13, 2008** within the Southern District of California, defendant, **Luis PAREDES**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **15th** DAY OF **APRIL, 2008**



Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Luis PAREDES

PROBABLE CAUSE STATEMENT

On April 13, 2008, at approximately 6:50 P.M., Border Patrol Agent D. Vargas was performing line watch duties in the Imperial Beach Area of Operations. Agent Vargas responded to a seismic sensor activation near the area commonly known as, "Southern Cross Over." This area is approximately two and a half miles west of the San Ysidro, California, Port of Entry and four hundred yards north of the United States/Mexico International Boundary.

Agent Vargas responded to the area, and found three individuals hiding. Agent Vargas identified himself as a United States Border Patrol Agent and conducted an immigration inspection. All three individuals including one later identified as **Luis PAREDES**, admitted to being citizens and nationals of Mexico without any documents that would allow them to legally enter or remain in the United States. Agent Vargas placed each of the three individuals under arrest and transported them to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **October 18, 2007** through **San Ysidro**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.